

JAN 04 2001

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)

Golding 98 Congress and)
William L. Golding, as treasurer)

MUR 5077

GENERAL COUNSEL'S REPORT # 2

I. ACTIONS RECOMMENDED:

Find probable cause to believe that Golding 98 Congress and William L. Golding, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).

II. BACKGROUND

On August 24, 2000, the Commission found reason to believe Golding 98 Congress ("the Committee") and William L. Golding, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) in connection with their failure to file the 1998 12 Day Pre General Report. The Commission offered to enter into pre-probable cause conciliation at that time, but received no reply to the offer of pre-probable cause conciliation. The Office of General Counsel terminated pre-probable cause conciliation when no response was received after sending a reminder letter and offering to extend the period of pre-probable cause conciliation. This Office sent correspondence to the Committee's address of record, as well as to the prior address of the Committee. This Office sent a Probable Cause Brief to the Committee on November 7, 2000, but due to the unreported change in address, the Treasurer did not receive this brief until November 29, 2000. Upon receipt of this brief, the Committee's representative contacted this Office and expressed a desire to settle. This Office informed him of his option to file a responsive brief or send a letter

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explaining the circumstances of the change in address. The Committee's representative has failed to either file a responsive brief or send a letter clarifying the circumstances of the change in address.

III. ANALYSIS

This Office's analysis of this matter is contained in the General Counsel's Brief dated November 6, 2000, and is incorporated herein by reference. As noted above, the Committee has not submitted a responsive brief. Accordingly, this Office recommends that the Commission find probable cause to believe that Golding 98 Congress and William L. Golding, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i).


IV. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

21.04.405.343
3673.504.40.13

V. RECOMMENDATIONS

1. Find probable cause to believe that Golding 98 Congress and William L. Golding, as treasurer, violated 2 U.S.C. §434 (a)(2)(A)(i).
2. Approve the attached conciliation agreement and appropriate letter.

Date

1/2/01
Lois G. Lerner

Acting General Counsel

Attachment:

1. Conciliation Agreement

Staff assigned: Michael E. Scurry

21-04-405-313
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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel ~~SON~~
DATE: January 4, 2001
SUBJECT: MUR 5077- General Counsel's Report #2

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

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